

UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF MASSACHUSETTS

PAUL T. PAPADAKIS,  
Plaintiff,

v.

CSX TRANSPORTATION, INC.,  
Defendant.

C.A. No.: 04-30189-MAP

**DEFENDANT'S MOTION FOR A VIEW**

The defendant CSX Transportation, Inc. ("CSX"), hereby files this *Motion For a View* of the truck and hy-rail device which was involved in the plaintiff's accident, on the grounds that : (1) the truck cannot be brought into the courtroom; and (2) a proper understanding of how the hy-rail mechanism works is essential to the jury's understanding of this case. CSX therefore requests that at some point during the trial, the jury be shown the hy-rail device on said truck, if possible during the testimony of a witness for demonstrative purposes. CSX will have the vehicle at or in the vicinity of the courthouse to cause as little disturbance and inconvenience to the court proceedings as possible.

WHEREFORE, for all the above stated reasons the plaintiff's *Motion For a View* should be granted.

Respectfully submitted,  
The defendant,  
CSX TRANSPORTATION, INC.,  
by its attorneys,

/s/Valerie A. Murphy

Michael B. Flynn BBO #559023

*mbflynn@flynnassoc.com*

Valerie A. Murphy BBO #661460

*vmurphy@flynnassoc.com*

FLYNN & ASSOCIATES, P.C.

400 Crown Colony Drive, Suite 200

Quincy, MA 02169

(617) 773-5500

DATED: April 21, 2006